

1 ARIEL E. STERN
Nevada Bar No. 8276
2 JACOB D. BUNDICK
Nevada Bar No. 9772
3 DIANA S. ERB
Nevada Bar No. 10580
4 AKERMAN SENTERFITT LLP
400 South Fourth Street, Suite 450
5 Las Vegas, Nevada 89101
Telephone: (702) 634-5000
6 Facsimile: (702) 380-8572
Email: ariel.stern@akerman.com
7 Email: jacob.bundick@akerman.com
Email: diana.erb@akerman.com

8 *Attorneys for Defendants*
9 *Countrywide Home Loans, Inc., and*
10 *Bank of America, N.A.*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13
14 ODELL MILSTEAD, individually,
15
16 Plaintiffs,

17 vs.

18 COUNTRYWIDE HOME LOANS, INC., a
foreign corporation; COUNTRYWIDE BANK,
19 N.A., a foreign corporation; COUNTRYWIDE
FINANCIAL CORP., a foreign corporation; and
20 ROES 1-100,

21 Defendants.

Case No.: 2:09-cv-01834-GMN-GWF

ORDER CANCELING LIS PENDENS

22 This Court issued an Order Granting the Stipulation for Dismissal with prejudice on January
23 19, 2011 [Dkt. 25].

24 Defendants request that the lis pendens currently recorded against the subject property by
25 Plaintiff Odell Milstead (“Plaintiff”) be canceled.

26 The Court finds that Plaintiff recorded a Notice of Lis Pendens (“Lis Pendens”) on or about
27 August 3, 2009, as Instrument No. 200908030003468 in the real property records maintained by the
28 Clark County Recorder. A copy of the Lis Pendens is attached hereto at **Exhibit A** and fully

1 incorporated by reference.

2 UPON CONSIDERATION of Defendants' request to cancel the Lis Pendens, and good
3 cause appearing therefore, the Court hereby grants Defendants their requested relief and rules as
4 follows:

5 1. IT IS ORDERED, ADJUDGED, and DECREED that the Lis Pendens is hereby
6 cancelled, released, and expunged.

7 2. IT IS FURTHER ORDERED, ADJUDGED and DECREED that this order canceling
8 the Lis Pendens has the same effect as an expungement of the original Lis Pendens.

9 3. IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendants record a
10 properly certified copy of this cancellation order in the real property records of Clark County,
11 Nevada within a reasonable amount of time from the date of this order's issue.

12 APPROVED this 20th day of February, 2011.

13 

14 Gloria M. Navarro
15 United States District Judge

16 Submitted by:

17 **AKERMAN SENTERFITT LLP**

18 /s/ Ariel E. Stern
19 ARIEL E. STERN, ESQ.
20 Nevada Bar No. 8276
21 JACOB D. BUNDICK, ESQ.
22 Nevada Bar No. 9772
23 400 South Fourth Street, Suite 450
24 Las Vegas, Nevada 89101

25 *Attorneys for Defendants*
26 *Countrywide Home Loans, Inc. and*
Bank of America, N.A.

AKERMAN SENTERFITT LLP

400 SOUTH FOURTH STREET, SUITE 450
LAS VEGAS, NEVADA 89101
TEL.: (702) 634-5000 – FAX: (702) 380-8572

Exhibit A

Exhibit A

Inst #: 200908030003468

Fees: \$16.00

N/C Fee: \$0.00

08/03/2009 03:13:26 PM

Receipt #: 1325

Requestor:

LEGAL EXPRESS

Recorded By: Pgs: 3

DEBBIE CONWAY

CLARK COUNTY RECORDER

APN# 125-26-811-016

11-digit Assessor's Parcel Number may be obtained at:
<http://redrock.co.clark.nv.us/assrealprop/ownr.aspx>

Notice of Lis Pendens

Type of Document

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested By:

Stout Law Firm

Return Documents To:

Name Stout Law Firm

Address 4560 South Decatur Boulevard, Suite 201

City/State/Zip Las Vegas, NV 89103


This page added to provide additional information required by NRS 111.312 Section 1-2

(An additional recording fee of \$1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

LISP

JAMES R. STOUT, ESQ.
 Nevada Bar No. 008680
STOUT LAW FIRM
 4560 S. Decatur Boulevard, Suite 201
 Las Vegas, Nevada 89103
 (702) 794-4411
 jstout@jstoutlaw.com
 Attorneys for Plaintiffs

FILED**JUL 31 4 11 PM '09**

 CLERK OF COURT
DISTRICT COURT**CLARK COUNTY, NEVADA**

ODELL MILSTEAD, individually,

Plaintiffs,

v.

COUNTRYWIDE HOME LOANS, INC. a
 foreign corporation; COUNTRYWIDE
 BANK, N.A., a foreign corporation;
 COUNTRYWIDE FINANCIAL CORP., a
 foreign corporation; and ROES 1-100,

Defendants.

Case No. **A-09-596455-C**
 Dept. No. **12**

NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN TO ANY AND ALL PERSONS AFFECTED HEREBY that a Complaint has been filed in the above-entitled matter by the foregoing Plaintiffs ODELL MILSTEAD, and all Class Members against the above-entitled Defendants to set aside and/or prevent foreclosure and/or enjoin transfer or conveyance of title in the following property and thereby creates a constructive trust thereon and that said Plaintiffs do hereby provide Notice pursuant to Chapter 14 of the Nevada Revised Statutes to any and all persons claiming any interest in the subject property of this pending action for:

1
2 6101 Ridgeman Avenue, Las Vegas, Nevada 89130, and more particularly described
3 as APN 125-26-811-016.

4
5 Pursuant to NRS 14.010, notice is hereby provided that Plaintiff is seeking specific
6 performance of said agreement and the transfer or retention of title thereto to Plaintiff from
7 Defendants, as well as monetary damages in the form of general and special damages, interest,
8 attorneys' fees and litigation costs, as well as any other form of relief which the Court may deem
9 to be appropriate due to Defendants' acts and omissions.

10 DATED this 26 day of July, 2009.

11
12 STOUT LAW FIRM

13 By: 

14 JAMES R. STOUT, ESQ.

15 Nevada Bar No.: 008680

16 4560 South Decatur Blvd., Suite 201

17 Las Vegas, Nevada 89103

18 (702) 794-4411

19 Attorneys for Plaintiffs
20
21
22
23
24
25
26
27
28